

RESPONSE			Docket No. OCT020USPT01
Serial No. 10/781,266	Filing Date February 18, 2004	Examiner Stephen R. Crow	Group Art Unit 3764
Applicant:	Porth		
Invention:	EXERCISE EQUIPMENT WITH AUTOMATIC ADJUSTMENT OF STRIDE LENGTH AND/OR STRIDE HEIGHT BASED UPON SPEED OF FOOT SUPPORT		

Mail Stop Amendment
Commissioner of Patents
P. O. Box 1450
Alexandria, VA 22313-1450

This communication is in response to the Office Action dated January 11, 2007 to which a response is due on or before February 11, 2007.

1.0 *The Examiner has required the election of a single species.*

As an initial matter, Applicant submits that the figures grouped together as Species II are actually two distinct species, with figure 5 (Species IIA) depicting a species in which stride adjustment is achieved by moving the point at which the foot support link is pivotally connected to a rear guide arm relative to the frame, while figures 6-8 (Species IIB) depict a species in which stride adjustment is achieved by moving the entire crank arm relative to the frame. Applicant elects to prosecute Species IIA (Figure 5) without traverse. The claims that read upon Species IIA include claims 1-4, 8, 10, 12, 14, 16, 17, 20, 22-25, 30, 31, 33, 35, 37, 39, 40, 43, 45-48, 53, 54, 63 and 66.

In the event the Examiner disagrees with Applicant's separation of Species II in two distinct species as set forth above, Applicant requests that the Examiner contact counsel for

Applicant for purposes of allowing Applicant to identify claims reading upon both Species IIA and IIB.

Respectfully submitted,

Date

09 Feb 07

By



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